

**Moab Remedial Action Contract (RAC)**  
**Request for Task Order Proposal**  
**Questions and Responses 1-30**  
**January 13, 2011**

1. Can a copy of the current Moab contract be made available for bidders as a reference document on the Moab RAC website?

Response: The original task order is available on the EMCBC website (<http://www.emcbc.doe.gov/>) under the Contracting tab, Prime Contracts.

2. Past Performance states that the contractor shall identify three contracts or projects similar in size, scope, and complexity to the PWS. Many of the entities that won ID/IQ contracts are special purpose entities formed specifically for the ID/IQ bid and, thus, have no direct Past Performance contracts or projects. We suggest that DOE modify the RTP language to allow three (3) total contracts or projects from the offeror member/parent companies when the actual offeror entity does not have Past Performance contracts or projects of their own.

Response: A total of three contracts and/or projects from the contractor members/parent companies may be provided if the actual contractor (being newly formed) does not have past performance contracts and/or projects of their own. Section L will be modified.

3. It appears that DOE is providing the cost for CLIN 0005; however, the Cost Worksheet seems to call for a cost buildup. Are we to use the DOE-provided amounts for this CLIN or are the amounts provided only part of the total costs to do this work? If we are to use the DOE-provided amounts, how should this be reflected on the cost worksheet?

Response: DOE is providing the unit rate for the bio-intrusion and cap rock material, as well as, providing an assumption that in- place material will be available for the radon and frost protection layers. DOE is also providing final cover quantities. The contractor is required to build up its cost estimate based on its technical approach using the DOE provided information.

DOE will modify the Attachment L-8c Cost Worksheet to reflect that there are no DOE provided costs for CLIN 0005.

4. PWS C.2.4 includes D&D of man-made structures, including the old Atlas Legacy building. However, there is potentially conflicting language in the RTP as to whether we are to include costs for this activity. Specifically, Attachment L-7, Item 3, states: "During the course of the task order, contractors may have to perform work associated with demolition activities of man-made structures; however, for proposal preparation purposes the contractors shall assume no cost during this task order period." Item 4 in this same attachment states: "Contractor shall assume all 36,000 cubic yards of the Former Atlas Legacy Building will be excavated and shipped to Crescent Junction via truck." Please confirm that we are not to include costs for D&D of the man-made structures but that we are to include costs for transportation of resulting debris by truck.

Response: Attachment L-7, Item 4.c, will be changed from "Former Atlas Legacy Building" to "Former Atlas Mill Debris."

The contractors shall assume that the former atlas mill debris located within the tailings pile will be excavated and shipped to Crescent Junction. Attachment L-7, Item 3, refers to man-made structures still in existence on the site that the contractor may be directed to perform D&D within the task order, but is not currently anticipated.

5. Please confirm that there is no expected disposal cell construction during this contract period.

Response: Attachment L-7, Item 6.c, will be revised to include design costs to support Phase 3 disposal cell activities. The contractor will need to excavate and place sufficient material for constructing the interim and final covers in CLINs 0004 and 0005. This material is available in-place at the Crescent Junction site which may require excavation activities in the Phase 3 area.

6. What are the actual labor rates in the Moab market? Are the Service Contract Act wages accurate?

Response: DOE has provided labor rates to be used for specific labor categories that are posted to the Moab acquisition website. Attachment, J-D, Service Contract Act Wage Determination, will be updated to the most current version (dated 11/24/10).

7. Instructions state that "the WBS description shall be at the same level as the WBS in the PWS except for C.2.3, Excavation and Handling at Moab; C.2.5, Transportation; C.2.6, Crescent Junction Operations; and C.2.7, Project Support; which shall be at one level lower than the PWS." Does this mean that the WBS should be one level below the numbered items listed in the PWS (e.g., one level below C.2.7.1, Regulatory Compliance) or one level below the items listed in the Section L instructions (e.g., one level below C.2.7, Project Support)? Please clarify.

Response: The WBS description shall be at one level lower than the numbered items in the PWS (e.g., one level lower than C.2.3.1, Excavation of RRM). The RTP will be modified to eliminate the requirement for one level lower than the WBS in the PWS for C.2.7. Contractors will only propose C.2.7 at the WBS level stated in the PWS (e.g., C.2.7.1 Regulatory Compliance).

8. The current rates are valid until 12/31/10; when will the new rates be published?

Response: Contractors shall use the rates provided through 12/31/10 and then apply the provided escalation factors for each out-year. No change to RTP.

9. Section 4.2 defines a unit train as having not less than 17 cars, yet pricing was provided for less than 17 cars. Which is correct?

Response: Section 4.2 of the Union Pacific agreement defines what a unit train is per the agreement; however, the contractors have the ability to determine the length of the train based on its proposed technical approach. No change to RTP. (For train lengths longer than 36, the contractor will have to get approval of UP. Per UP, 36 cars is the maximum under current operations because they will not allow cars to be pushed into the tunnel for loading and the gantry crane cannot travel any further north without modifications to hillside facilities.)

10. Section 4.2 also defines a unit train as having not more than 34 cars, yet pricing is provided for up to 36 cars, which is our understanding of what is currently being utilized. How was this change incorporated?

Response: See response to #9.

11. Section 6 requires the current contractor to provide the rail cars. Who owns the rail cars?

Response: The contractor is responsible for leasing and/or purchasing rail cars to haul the containers via rail. Attachment L-7, Item 5, is being modified to provide the lease rates for the current rail cars.

12. Section 7.5 Detention Charge – How many times has the current contractor had to pay detention charges, and for how many days and what amounts?

Response: The current contractor has not paid any detention charges. No change to RTP.

13. Section 8 Weight Limit – Based on the weight limit in the contract, how much RRM can be transported on a single rail car?

Response: Attachment L-7, Item 5, of the RTP states the total rail car weight limits (container and material) of 325,600 lbs (162.8 tons).

14. Section 3.2.4 of the Transportation Plan indicates that the allowable gross weight of a loaded rail car is 214.5 tons, while the contract provides for a gross weight of 286,000 pounds (143 tons). Which is correct?

Response: See response to #13. For proposal preparation purposes, use the information provided in Attachment L-7, Item 5.

15. Section 9 – How many times has overloading been discovered prior to departure?

Response: The current contractor has never had an overloading issue. No change to RTP.

16. Section 11-How is the EDI transmitted from the current contractor to UP? This is not detailed in the Transportation Plan.

Response: The Electronic Data Exchange (EDI) is transmitted through Union Pacific's website. No change to RTP.

17. Nothing in the contract seems to allow for two trains per day. How is this handled from a crew standpoint and from a cost standpoint?

Response: A unit train is defined as a single train; therefore, the second train would be treated as a second single train. No change to RTP.

18. Section L.7(b), Criterion 3 requires three contracts for the prime contractor and one for each major subcontractor. If the prime is a joint venture company, is the prime to submit a total of three projects or three projects from each member in the joint venture?

Response: See response to #2.

19. Basis of Estimate states that "A Basis of Estimate description shall be provided for each activity at the lowest level in the estimate." We estimate that a separate basis of estimate (BOE) for each activity at the lowest level could result in 300 or more WBS descriptions. This could amount to 1,000 or more pages to address each of the eleven BOE topics. Would DOE consider modifying the requirement to "a separate Basis of Estimate shall be provided for each lowest level in the WBS?"

Response: The RTP at L.8(h)(3) will be changed to read, "A Basis of Estimate description shall be provided for each WBS in accordance with the level described in L.8(e)."

20. Work Breakdown Structure (WBS) identifies the requirements for the WBS structure. Will DOE please clarify that the intent of the following sentence is to provide guidance on the WBS structure "... the WBS **description** shall be at the same level as the WBS in the PWS except for . . .?"

Would DOE consider modifying the language of this sentence to "... the WBS **structure** shall be at the same level as the WBS in the PWS except for . . .?"

Response: The RTP at L.8(e) will be modified to state, "...the WBS structure shall be at the same level as the WBS in the PWS except for ..."

21. Section L.8, "Proposal Preparation Instructions," subsection (e), page L-15, states "...the WBS description shall be at the same level as the WBS in the PWS except for C.2.3, Excavation and Handling at Moab; C.2.5, Transportation; C.2.6, Crescent Junction Operations; and C.2.7 Project Support; which shall be at one level lower than the PWS." The PWS in Section C for three of the four sections has identified a level lower than what is identified above.

Please confirm that we are to use the PWS structure as outlined in Section C (for example, only take the WBS down to the C.2.3.1; C.2.3.2; C.2.3.3 level), and add a lower level for Transportation (C.2.5 1, etc.), and that we are not to go one level lower (i.e., C.2.3.1.1, C.2.3.1.2, etc.).

Response: See response to #7.

22. Will a list of attendees be provided for those who attended yesterday and today site walk for the MOAB project?

Response: Yes, the list of attendees will be posted to the Moab acquisition website ([http://www.emcbc.doe.gov/Moab\\_RAC/index.php](http://www.emcbc.doe.gov/Moab_RAC/index.php)).

23. Section H.15 of the Basic ID/IQ contract states that bidders may not modify their teams, as originally selected, by adding new subcontractors without prior Contracting Officer consent. Specifically, this clause seems to state that because evaluations have already been made based on the qualifications and experience of the bidding team for the basic contract, additions cannot be made without justification that the qualifications and experience of proposed additions meet or exceed those of bidding team members. Presumably, the addition of subcontractors on any bidding team would be approved by the Contracting Officer only if DOE felt that competition might be limited and that qualified firms/teams did not exist among the basic contract holders.

Since it appears that all twelve qualified teams are interested in and potentially bidding on the Moab task order RTP, are we correct in assuming that adequate competition clearly exists and that DOE will not approve the addition of new subcontractors or team members for any of the basic contract holders? If this not a correct assumption, what is the process for gaining such approval before submittal of the task order response?

Response: Currently there is no formal process for the contractors to submit subcontractor consent; however, contractors must provide rationale and a detailed explanation including the equivalency or similarity of the experience, and qualifications, to the major and/or critical subcontractors identified in the basic contract. Contractors are not prohibited from proposing major and/or critical subcontractors in the areas; however, as stated in H.15 of the basic contract, if a contractor proposes a subcontractor other than those identified to perform work under this task order in the areas of environmental remediation, demolition, regulatory services, and radiological controls and safety, the contractor must obtain consent by the CO before the contractor may be issued the Task Order.

You are not correct in assuming DOE will not approve the addition of new subcontractors or team members for any of the basic contract holders. This depends on if the CO believes that the proposed subcontractor(s) has the capabilities and experience to perform the work.

24. Section L.7(b)/Criterion 1 requests that "The contractor shall provide a detailed integrated schedule including the critical path schedule." In a 40-page proposal, a "detailed integrated schedule" that includes a critical path schedule could take 10 to 20 percent of the entire page count, leaving little room for detailed discussion of the approach to the PWS. Please remove the schedule from the page count.

Response: The SEB has removed the schedule from the 40 page count for Criterion 1 and added a separate maximum page count of 20 pages (11 1/2 x 17 counts as one page for this area only).

25. DOE states in Section H.41 that key personnel are "essential to the success of all work." However, the fee reduction for replacing key personnel on this contract is only \$50,000 for the Program Manager and \$25,000 for other key personnel. This is a very small amount of fee when you consider that the funding profile is \$27M a year. Even at a 5 percent fee, the awardee will make more than \$6.5M during the contract. Because of this, teams may decide to propose key staff they do not intend to deliver or to actually execute the work, then pay the small fee after contract award. We highly suggest DOE increase the fee reduction to something closer to those included in the recent West Valley procurement: \$500,000 for the Program Manager and \$250,000 for any other key staff member who leaves prior to two years.

Response: Section H.41(d) 1 and 2 will be modified to increase the fee reduction for changes to Key Personnel. Fee reductions for the Program Manager will be changed from \$50,000 to \$100,000 and fee reductions for other Key Personnel will be changed from \$25,000 to \$50,000.

26. Section L.7(b)/Criterion 2 states that the Offeror should propose as Key Personnel a Program Manager and two (2) additional Key Personnel. Are we limited to a total of three (3) Key Personnel or is the requirement for at least two (2) additional?

Response: Yes, the requirement is for three key personnel total – a Project Manager plus two additional key personnel in designated positions. This does not mean the contractor's organization cannot have additional key personnel but DOE will only evaluate the named three key personnel as part of the Key Personnel evaluation. No change to RTP.

27. At least one of the ID/IQ contract holders is also a member of the Moab TAC contractor. Are they eligible to bid on this task order or do they have a conflict of interest?

Response: Any conflict of interest between the ID/IQ holders and the TAC will be resolved prior to award. The CO will not award a task order to a contractor with an unmitigated conflict of interest. No change to RTP.

28. Section L.8(f) requests that the contractor provide a resource-loaded schedule (utilizing Oracle's Primavera P6 Enterprise Project Portfolio Management software). Table L-1 in Section L.5 states that the proposal schedule should be submitted utilizing the CURRENT VERSION of Oracle's Primavera P6 Enterprise Project Portfolio Management software and may be submitted as a PDF. The Section L.8(f) reference does not specifically call out the current version of P6. Is a prior version of P6 acceptable? Or, to confirm, is it acceptable to submit the schedule as PDF without submitting it in P6?

Response: Table L-1 will be modified to state, "The proposed schedule shall be developed utilizing the current version of Oracle's Primavera P6 Enterprise Project Portfolio Management software and be provided electronically as well as in .PDF format."

29. L.6(b)(6) references Section H.17 provision of the ID/IQ contract titled FAR 52.234-4 Earned Value Management System (JUL 2006). Is this the correct reference? The title of ID/IQ Section H.17 is EMCBC-H-1008 Project Control Systems and Reporting Requirements (Applies to Each Individual Task Order, if applicable); but this section has EVMS references within it. The title of ID/IQ H.2 is FAR 52.234-4 Earned Value Management System. (JUL 2006) (Applies to Each Individual Task Order, if applicable). Did the RTP mean to reference Section H.2 or the EVMS requirements under Section H.17?

Response: The correct reference is H.2, FAR 52.234-4 Earned Value Management System (JUL 2006). The RTP will be amended.

30. In Section L.7(5)/Criterion 3, the narrative reads: *"The point of contact for each contract/project/task order should complete, mail or hand-carry (NOT EMAIL) the questionnaire*

*to the Contracting Officer or designee as stated in Section L.4."* Section L.4 talks about delivery of the proposal, not the PPQ but we assume that the reference to Section L.4 is intended to identify the Contracting Officer or designee. Attachment L-5 lists Joe Werbrich as the Contracting Officer, but Section L-4 indicates that submittals should be marked to the attention of Lisa Rawls. Can you please clarify to whom the PPQs should be addressed when they are returned to DOE?

Response: As stated in L-7(b) Criteria 3 – Past Performance, Item 5, the Past Performance Questionnaires are to be sent to the Contracting Officer (Joe Werbrich) or the CO designee which is Lisa Rawls.

Section L-7(b), Criterion 3 – Past Performance Questionnaires, Item 6, will be modified to add the following sentence, "Completed Past Performance Questionnaires are due on the closing date of the RTP."

Additionally, in Attachment L-5, the address will be modified to add the completed zip code of 45246 instead of the stated 452.